

REMARKS

This Response is submitted in response to the Office Action dated May 30, 2003 and the Advisory Action dated November 5, 2003. A Request for Continued Examination is submitted herewith. A Petition for a Three-Month Extension of Time is submitted herewith. A check in the amount of \$XX.XX is submitted herewith to cover the cost of the RCE and the difference between the two month extension fee (previously paid) and the three month extension fee. Please charge Deposit Account No. 02-1818 for any additional fees.

Claims 1, 10, 12, 20, 27, 29 and 35 have been amended. Claims 38 to 40 have been cancelled without prejudice or disclaimer.

The Office Action rejected Claims 1, 2, 5, 8 to 11, 15, 20, 23, 29, 30, 35 and 38 under 35 U.S.C. § 103(a) as being unpatentable over Thomas et al., U.S. Patent No. 6,322,309, in view of Fier, U.S. Patent No. 6,126,542. The Office Action rejected Claim 3, 4, 12, 13 and 21 under 35 U.S.C. § 103(a) as being unpatentable over Thomas with Fier and in further view Mayeroff, U.S. Patent No. 6,231,442. The Office Action rejected Claims 6, 7, 24 and 25 under 35 U.S.C. § 103(a) as being unpatentable over Thomas with Fier in view of Bennett, U.S. Patent Application Publication 2003-0073481 A1. The Office Action rejected Claims 16 to 19, and 26 under 35 U.S.C. § 103(a) as being unpatentable over Thomas with Fier in view of Holmes, U.S. Patent No. 5,882,259. The Office Action rejected Claims 33 and 34 under 35 U.S.C. § 103(a) as being unpatentable over Thomas with Fier in view of Walker, U.S. Patent No. 6,001,016. The Office Action rejected Claims 22, 27, 29, 32 and 36 to 38 under 35 U.S.C. § 103(a) as being unpatentable over Thomas with Fier in further view of Kamille, U.S. Patent No. 5,092,598. The Office Action rejected Claims 33 and 44 under 35 U.S.C. § 103(a) over Thomas with Fier in view of Walker. The Office Action rejected Claims 39 and 40 under 35 U.S.C. § 103(a) as being unpatentable over Thomas with Fier and Kamille in further view of Walker.

Generally, the amended claims provide an award to the player where all but one of a provided number of player picks of selections result in award symbols and where all of the provided number of player picks of selections result in award symbols.

Accordingly, as discussed during the interview the claims which now include both ways of winning the award based on the award symbols are now patentably distinguished over the combination of Thomas and Fier. Since all of the rejections are based on the combination of Thomas and Fier, it is respectfully submitted that the amended claims and the claims which depended therefrom overcome the rejections and are now in condition for allowance.

Claims 38 to 40 have been cancelled without prejudice or disclaimer. Applicant respectfully reserves the right to file one or more continuation applications seeking protection for such claims.

An earnest endeavor has been made to place this application in condition for formal allowance and in the absence of more pertinent art such action is courteously solicited. If the Examiner has any questions regarding this Response, applicant respectfully requests that the Examiner contact undersigned.

Respectfully submitted,

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